

Application No. 10/640858
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Proposed Amendment After Final
Attorney Docket No. E30.2N-8146-US09

Remarks

This Amendment is being filed in response to the Final Office Action as mailed on September 27, 2005. Reconsideration of the application as amended herein is respectfully requested.

Applicant submits this amendment which merely adopts the Examiner's suggestions, presents claims in better form for consideration on appeal, removes issues from appeal, or only requires a cursory review by the Examiner in compliance with 37 C.F.R. §1.116. Applicant presents amended claims herein and traverses the Examiner's rejection in so far as it may be applied against the amended claims.

In the Office Action on page 11, the Examiner indicated that "Applicant's arguments are based upon claim language, e.g., "different types" that are not clearly points out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited."

And on page 12, the Examiner stated "therefore, it is proper for the Examiner to broadly interpret the term "different types" as broadly as their terms reasonably allow.

Applicant at this time believes that the Examiner and Applicant do not have a common understanding as to the definition of the terms "different types".

Applicant believes that the Declaration of Roman Marjamaa submitted on May 11, 2005, clearly identified Applicant's understanding of the terms "different types" in association with the Suckow '183 and Kouchi '719 references, namely that a sequential display pattern was a "single type" of light signal; that the increasing area matrix display was a "single type" of light signal; and that Applicant's claims were directed to at least "two different types" of visually distinct warning light signals simultaneously in independent claim 33, or in combination within independent claims 40 and 59.

In order to forward prosecution, Applicant has amended the language "different types" in an attempt to reach a common understanding, and to clarify Applicant's claims. Applicant believes that the amendment to the claims herein does not expand the scope of coverage, and does not narrow the scope of coverage of the previously presented claims. Applicant has deleted reference to the term "types" within the enclosed claims and has amended

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the claim language to attempt to resolve any ambiguity related to Applicant's claims.

Applicant respectfully submits that claims herein are in condition for allowance.

Claims 1-32 have been cancelled and claims 33-61 remain in the application.

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Formalities

If an extension of time is required to make this response timely and no separate petition is enclosed, Applicant hereby petitions for an extension of time sufficient to make the response timely. In the event that this response requires the payment of government fees and payment is not enclosed, please charge Deposit Account No. 22-0350.

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Conclusion

It is believed that claims 33-61 in the present application are in condition for allowance in view of the foregoing. Applicant respectfully requests reconsideration of the claims herein and that the rejections be withdrawn and the claims be allowed. The Applicant respectfully requests that the Examiner enter the amendment which Applicant believes puts the application in condition for allowance. Early action to that effect is earnestly solicited.

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS

Date: October _____, 2005

By: _____
Edwin E. Voigt II
Registration No.: 36042

6109 Blue Circle Drive, Suite 2000
Minnetonka, MN 55343-9185
Telephone: (952) 563-3000
Facsimile: (952) 563-3001

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